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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,090	02/27/2004	Ping-Tung Su		4284

7590  
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P.O. Box 44-2049  
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03/22/2006

EXAMINER

GRAYSAY, TAMARA L

ART UNIT	PAPER NUMBER
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3636

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/787,090		SU, PING-TUNG	
	<b>Examiner</b>		<b>Art Unit</b>	
	Tamara L. Graysay		3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because of the following:
  - a. FIGS. 1, 2, 3, 6, and 7: The enlargement circle should correspond to the figure number, not just the letter A. For example, in FIG. 1, the enlargement circle should be 1A. See 37 CFR 1.84(h).
  - b. They fail to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 28 (FIG. 2A).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. The abstract of the disclosure is objected to because of the following:

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Correction is required. See MPEP § 608.01(b).

4. The disclosure is objected to because of the following informalities:

Page 9, line 1: [FIG. 4] should be FIG. 7 because the enlargement is taken in figure 7.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Ko (US-2002/0179130).

a. Claim 1: Ko (US-2002/0179130) teaches an umbrella structure comprising a notch (2) at an upper end of a multi-sectional shaft (4), wherein around the notch are a plurality of pivotally disposed ribs (unnumbered, schematically represented); and characterized that the notch is downwardly extended (FIG. 3) to form an extension section (3), which is accommodated with a runner (1) and extruded to form an elastic protrusion section (31); the protrusion section (31) has one end thereof joined with the extension section (at the point where 31 meets 3), and an upper portion ((FIG. 2) forming a supporting plane (at the top of 31) for supporting the runner (FIG. 4); and when the umbrella is stretched, the supporting plane of the protrusion section is reliably butted against a lower section (aperture 11) of the runner (1) to stretch the umbrella. In Ko each of the two sides of the protrusion section form a gap with the extension section insofar as the extension section does not form a complete circumference, thereby leaving a gap at each side of the downwardly extended portion.

- b. Claim 2: The Ko protrusion section (31) and the extension section (3) are integrally formed.
- c. Claim 3: The Ko protrusion section is devised as a fastening button (31 projects outwardly as a “fastening button”) as broadly recited.
- d. Claim 4: The Ko extension section (3) is provided with a longitudinal protrusion (the lower portion of extension 3) axially aligned with the shaft (4; FIG. 1), and an inner periphery of the runner (1) is provided with a slot (the non-circular projection portion of runner 1 (which includes aperture 11 on one side thereof) forms a slot) for inseting the protrusion (the lower portion of extension 3) thereby guiding the runner (1) for correct up-and-down sliding movement.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lee (US-2003/0183261) teaches an umbrella structure comprising a notch (21) at an upper end of a multi-sectional shaft (2), wherein around the notch are a plurality of pivotally disposed ribs (unnumbered, schematically represented by a line); and characterized that the notch is downwardly extended (3) to form an extension section (3), which is accommodated with a runner (1) and extruded to form an elastic protrusion section (31, 32); the protrusion section (31, 32) has one end thereof joined with the extension section (at the point where 31 meets 3), and an upper portion (31) forming a supporting plane (at the top of 31) for supporting the runner (FIGS. 3-4); and when the umbrella is stretched, the supporting plane of the protrusion section is reliably butted against a lower section (13) of the runner (1) to stretch the umbrella. In Lee each of the two sides of the protrusion section form a gap with the extension section insofar as the extension section does not form a complete circumference, thereby leaving a gap at each side of the downwardly extended portion.
- Ko (US-6539964) teaches an umbrella structure comprising a notch (1) at an upper end of a multi-sectional shaft (3), wherein around the notch are a plurality of pivotally disposed ribs (unnumbered, schematically represented by a line); and characterized that the notch is downwardly extended (FIG. 3) to form an extension section (13), which is accommodated with a runner (2) and extruded to form an elastic protrusion section (14); the protrusion section (14) has one end thereof joined with the extension section (at the point where 14 meets 13), and an upper portion (14) forming a supporting plane (at the top of 14) for supporting the runner (FIG. 5); and when the umbrella is stretched, the supporting plane of the protrusion section is reliably butted against a lower section (21) of the runner (2) to stretch the umbrella. In Ko each of the two sides of the protrusion section form a gap with the extension section insofar as the extension section does not form a complete circumference, thereby leaving a gap at each side of the downwardly extended portion.
- Wang (US-5964325) teaches an umbrella structure comprising a notch (30) at an upper end of a multi-sectional shaft (20), wherein around the notch are a plurality of pivotally disposed ribs (21, FIG. 1); and characterized that the notch is downwardly extended (31) to form an extension section (31, 311), which is accommodated with a runner (40; FIG. 6) and extruded to form an elastic protrusion section (311); the protrusion section (311) has one end thereof joined with the extension section (at the point where 311 meets 31), and an upper portion (30) forming a supporting plane (at the top of 30) for supporting the runner (21; FIGS. 1-2); and when the umbrella is stretched, the supporting plane of the protrusion section is reliably butted against a lower section (at aperture 42) of the runner (40) to stretch the umbrella. In Wang each of the two sides of the protrusion section form a gap with the extension section insofar as the extension section does not form a complete circumference, thereby leaving a gap at each side of the downwardly extended portion.
- Wu (US-5515878) teaches a sleeve (4, 5) within the runner at the open and closed positions.

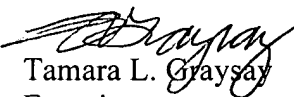
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- Schultes (US-5476191) teaches a downwardly extending portion (3) having an integrally formed button (3a). The embodiment may be used for a notch, a runner, or runner in combination with a plastic sleeve.
- Adler (US-1908210) teaches a runner (10) surrounding a shaft (3,2) which extends from the notch (15). The button (61) retains the runner (10) in the stretch position. (FIG. 2).
- Whiting (US-263271) teaches a protrusion section (g) for latching a runner (H) relative to the notch (D, B).
- Douglass (US-542999) teaches a protrusion section (e1) for latching a runner (f) relative to the notch (e).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is 571-272-6728. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo, can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 3/17/06  
Tamara L. Graysay  
Examiner  
Art Unit 3636

20060316